


Notice of Allowability	Application No.	Applicant(s)	
	09/902,440	ULBRICH ET AL.	
	Examiner	Art Unit	
Carlos Lugo	3676		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on July 23, 2004.
2. ☒ The allowed claim(s) is/are 22-27.
3. ☒ The drawings filed on 11 August 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. This Office Action is in response to applicant's amendment filed on July 23, 2004.

Allowable Subject Matter

2. **Claims 22-27 are allowed.**

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
4. Authorization for this examiner's amendment was given in a telephone interview with Mr. Derrick Pizarro on October 6, 2004.
5. The application has been amended as follows:
 - Abstract Line 1, the phrase "An improved method and apparatus is disclosed for locking a gooseneck trailer hitch" is changed to -A method and an apparatus for locking a gooseneck trailer hitch -.
 - Abstract Line 10, the sentence "The invention may be originally manufactured, or existing hitches may be retrofitted" as been canceled.
 - Claims 1-7 and 12-14 were cancelled.
 - Claim 22 Line 18, the phrase -the locking apparatus comprising- was added before the phrase "a bar disposed".

Reasons For Allowance

6. The following is an examiner's statement of reasons for allowance:

Claim 22 is allowable over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that the combination of the locking apparatus and the gooseneck trailer hitch includes a bar disposed in the slot of the retainer bracket that, in combination with a latch body, immobilize the lock plate.

The Prior Art presented by the applicant in Figures 1-5 discloses a gooseneck trailer hitch comprising a tubular member, a handle, a receiving plate fixed to the tubular member, a lock plate and a retainer plate defining a slot to receive a flange portion of the lock plate. Also, Eaton (US 4,320,907), Mann (US 5,263,735), Nyman (US 5,382,109), Hollis (US 5,482,309), Johnson (US 5,513,871) and Lara (US 6,234,509) disclose a gooseneck trailer hitch having the same limitations. However, the Prior Art fails to disclose the combination of a locking apparatus and the gooseneck trailer hitch, wherein the locking apparatus comprises a bar disposed in the slot of the retainer bracket that, in combination with a latch body, immobilize the lock plate.

Hale (US 4,699,395) and Gostomski (US 4,283,073) disclose the combination of a gooseneck trailer hitch and a locking apparatus. However, both fail to disclose that the locking apparatus comprises a bar disposed in the slot of the retainer bracket that, in combination with a latch body, immobilize the lock plate.

Hale discloses that the locking apparatus immobilize the handle (Figure 1), not that is disposed in the slot of the retainer bracket that, in combination with a latch body, immobilize the lock plate.

Gostomski discloses that the locking apparatus (a padlock, Col. 3 Lines 4-8) indirectly immobilize the latch plate (46). However, Gostomski fail to disclose that the bar (in combination with the latch body of the padlock) is disposed in the slot of the retainer bracket that immobilizes the lock plate. Gostomski discloses that a locking rod (58) is the one disposed in a slot of a retainer bracket (between the handle and the lock plate, Figures 5-7) and the bar, in combination with the latch body (the padlock), immobilizes the handle, and therefore the lock plate (via the locking rod); not that the bar directly immobilizes the lock plate.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number is 703-305-9747. The examiner can normally be reached on 9-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 703-308-2686. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

Carlos Lugo
AU 3677

October 6, 2004.

A handwritten signature in black ink that reads "Daniel P. Stodola". The signature is fluid and cursive, with a large initial 'D'.

DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600